

William B. McGuire  
TOMPKINS, MCGUIRE,  
WACHENFELD & BARRY LLP  
100 Mulberry Street  
Newark, New Jersey 07102  
(973) 622-3000

Douglas S. Eakeley  
LOWENSTEIN SANDLER PC  
65 Livingston Avenue  
Roseland, New Jersey 07068  
(973) 597-2500

Theodore V. Wells, Jr.  
Daniel J. Kramer  
PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON LLP  
1285 Avenue of the Americas  
New York, NY 10019-6064  
(212) 373-3000

Alex Young K. Oh  
PAUL, WEISS, RIFKIND,  
WHARTON & GARRISON  
2001 K Street, NW  
Washington, D.C. 20006-1047  
(202) 223-7300

*Attorneys for Merck and Schering Defendants*

Gerald Krovatin  
KROVATIN KLINGEMAN LLC  
60 Park Place, Suite 1100  
Newark, New Jersey 07102  
(973) 424-9777

*Attorneys for Schering Director Defendants*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

IN RE MERCK & CO., INC.  
VYTORIN/ZETIA SECURITIES  
LITIGATION

08-CV-2177 (DMC) (JAD)

IN RE SCHERING-PLOUGH  
CORPORATION/ENHANCE  
SECURITIES LITIGATION

08-CV-397 (DMC) (JAD)

**ORDER GRANTING DEFENDANTS' MOTION TO  
FILE DOCUMENTS UNDER SEAL PURSUANT TO L. CIV. R. 5.3**

THIS MATTER having been opened to the Court upon motion by  
Tompkins, McGuire, Wachenfeld & Barry LLP, attorneys for Defendants, and  
good cause having been shown,

IT IS, this 8<sup>th</sup> day of April, 2013, hereby ORDERED:

Defendants' Motion to File Documents Under Seal is GRANTED.

The following documents are hereby sealed: (1) the Memorandum of Law in  
Support of Defendants' Motion to Bifurcate Trial (Schering Docket Entry 348;  
Merck Docket Entry 283); (2) Exhibits 2-8 to the Affidavit in Support of  
Defendants' Motion to Bifurcate Trial (Schering Docket Entries 350-1-7; Merck  
Docket Entries 284-1-7); (3) Exhibits 1, 3-6 to the Affidavit in Support of  
Defendants' Motion to Preclude Certain Testimony by Chad Coffman (Schering  
Docket Entries 354-354-4); (4) Exhibits 1-3, and 5 to the Affidavit in Support of  
Defendants' Motion to Preclude Certain Testimony by Gregg A. Jarrell (Merck  
Docket Entries 281-281-3); (5) the Memorandum of Law in Support of  
Defendants' Motion to Preclude Certain Opinion Testimony by Plaintiffs' Experts  
(Schering Docket Entry 341, Merck Docket Entry 277); (6) Exhibits 5-7 to the  
Affidavit of Robert N. Kravitz in Support of Defendants' Motion to Preclude  
Certain Opinion Testimony by Plaintiffs' Science Experts (Schering Docket  
Entries 342-342-2, Merck Docket Entries 278-278-2); (7) the Merck and Schering  
Defendants' Memorandum of Law in Support of Their Motion *in Limine* No. 3:

To Preclude Plaintiffs from Offering in Evidence Anonymous Postings From the Cafepharma Website Message Boards (Schering Docket Entry 356, Merck Docket Entry 287); (8) the Merck and Schering Defendants' Memorandum of Law in Support of Their Motion *in Limine* No. 6: To Preclude Plaintiffs From Offering Certain Hearsay and Improper Opinion Testimony of Meredith Gene Bond (Schering Docket Entry 356-2, Merck Docket Entry 287-2); (9) Exhibits 22, 24, 25, 39, 44-48, and 50-52 to the Second Affidavit of Robert N. Kravitz (Schering Docket Entries 358-358-11, Merck Docket Entries 288-288-11); and (10) Defendants' Trial Brief (Schering Docket Entry 374; Merck Docket Entry 297); and

**IT IS FURTHER ORDERED that the moving party shall file redacted versions of the aforementioned documents within ten (10) days of the date of this Order in compliance with L.Civ.R. 5.3.**

  
Hon. Joseph A. Dickson, U.S.M.J.